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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,937	04/11/2001	David A. Bolnick	35850-165999	7702
26694	7590	08/11/2005	EXAMINER	
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20045-9998			TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2132	
DATE MAILED: 08/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/829,937

Applicant(s)

BOLNICK ET AL.

Examiner

lan dai thi trung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is response to communications: application, filed 04/11/2001; amendment filed 06/01/2005. Claims 1-14 are pending. Claims 3 and 4 have been cancelled. Claims 1,2 and 5-13 are amended by applicant. Claim 14 is added

2. The applicant's argument file 06/01/2005 have fully considered but they are moot in view with new grounds for rejection.

### **Rejection**

#### **Claim rejections-35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3. Claims 1-2, 5-10, 14 are rejected under are rejected under 35 U.S.C 103(a) as being un-patentable over Freishtat et al. (U.S. 6,317,783) in view of Desai et al. (U.S. 6,820,204)**

**In referring to claims 1 and 10, which is exemplary of claim 14:**

Freishtat discloses the invention substantially as claimed, including a method and system, which can be implemented in a computer hardware or software code for providing a secure data channel, comprising:

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Receiving at a processing server, for the user, at least of: User profile information, a user identification, a user acceptance, and/or a hardware signature: (Freishtat disclosed user utilizes the Internet to access personal information engine which is shared identical functionality with processing server (column 4, 24-35). In particular, user always has to provide profile information to get authorization for logging to any system. In Freishtat's method, personal information configure (PIC) is used to implement the user storage what is in personal information engine (PI engine). PIC stores personal information what is equivalent to user profile information for registration with information providers: column 5, lines 65-67; column 6, lines 1-12; column 8, lines 34-46).

Receiving pushed information from the associate, including at least one of: An update to said user profile information, related information, and/ or personalized content for the user; and Conveying, to the user, personal information including a selectable union of at least one of: Said user profile information, said related information, and/or said personalized content: (Freishtat disclosed particular explanation to demonstrate his knowledge on refreshing personal information which is equivalent to updated user profile information from the provider's website which is equivalent to associate to personal information engine (PI engine) which is equivalent to processing server what runs on PI host. Then the personal information engine sends updated personal profile to the user: column 4, lines 29-51. Freishtat also disclosed a baseline configure component provides the interface which user can perform selection of the personal information providers in the system, interested personal information, and transitions to specific user (column 6, lines 22-24, 55-57). So baseline configure component is shared identical functionality with a

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component that provides selectable union of pushed personalized content with user profile information for conveyance to a user).

However, Freishtat does not disclose sharing access to said personal information to a family, wherein said family comprises at least one of: a plurality of users, and/or a plurality of related users

However, Desai discloses the information exchange system wherein the users may selectively grant access to their own profiles to one or more third parties such as family members, see (Desai: column 3, lines 35-67; column 4, lines 1-7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Desai's ideas of sharing access to personal profiles with family members with Freishtat's system in order to provide a method for information exchange based on registered uses' authorization, see (Desai: column 4, lines 1-7)

**In referring to claim 2:**

In addition to rejection in claim 1, Freishtat-Desai further discloses wherein said step © is conveyed to said user using at least one of: A web interface, an interactive voice response (IVR) system, a Wire less access device, a Synchronized device, an Interactive television (TV) device, a Palm-top computing device, a Computer system, a Thin client, a Personal digital assistant (PDA), a Computer device, a Communication device, and/or Any other device having at least one of direct and indirect access to the Internet: (Freishtat disclosed using delivery platforms such as web page is shared identical functionality with web interface, wireless device which is equivalent to wireless access device, client computer which is equivalent to a computer device,

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(facsimile, electronic mail) which are equivalent to any other device having at least one of direct and indirect access to the internet: column 3, lines 12-16).

**In referring to claims 5 and 6:**

In addition to rejection in claim 1, Freishtat-Desai further discloses: a business, an organization, an affiliated association, an unaffiliated association, and/or any other association between a repository of data and the user whose specific data is contained within said repository; Wherein said associate can include at least one of: manufacture, a distributor, a retailer, a service provider, a non-profit, a sports franchise, an information provider, a news agency, a content provider, a television program, a movie, a n entertainment, and/or an agency: (Freishtat discloses the information providers which is equivalent associates can be a business, a service provider, an information provider, a sports franchise: column 3, lines 8-9).

**In referring to claim 7:**

In addition to rejection in claim 1, Freishtat-Desai further discloses providing cumulative aggregate user profile information to said association: (Freishtat discloses aggregate-ness user profile information for information provider what is equivalent to associate: column 3, lines 24-34; column 4, lines 22-26, 43-46).

**In referring to claims 8 and 9:**

In addition to rejection in claim 1, Freishtat-Desai further discloses wherein said pushed information can include at least one of: Textual data, Digitized auto data, Digitized audio data, Graphical image data, and/or other data. Wherein said push information can include at least one of: Prescription information, Automobile service information, Purchased production information, Sports information, Television programming information, Deductions information, Travel

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reservation information, Charitable contribution information, Encrypted information, Financial information, Membership information, Education information, Voicemail message, and/or any information related to the user: (Freishtat disclosed the refreshed personal information which is equivalent to updated profile information is sent from information providers are equivalent to associates to the user. Those updated profile information can be in variety delivery platforms such as facsimile what deliveries textual data form, telephone deliveries digitized audio data form, client computer deliveries either digitized video data form, graphic image data form or some other data form through internet (column 4, lines 39-41; column 3, lines 13-16).

Furthermore, updated profile information can be purchase product information such as retail purchases, sports information which is about sport scores, financial information which provides bill payment or bank account balance, voicemail messages are delivered from telephone, deductions information such as bank account balance: column 3, lines 8-9, lines 17-18).

**4. Claim 11 is rejected under are rejected under 35 U.S.C 103(a) as being unpatentable over Sato et al. (U.S. 6,057,835) in view of Desai et al. (U.S. 6,820,204)**

**In referring to claim 11:**

Sato discloses the invention substantially as claimed, including a computer program, which can be implemented in a computer hardware or software code for a groupware computer program product, comprising:

A groupware display module operative to enable a processor to display an associates list to the user (Sato disclosed the common window program and the programs prepared for group work; wherein the data and program are used in common plural users, so that there is required a

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user interface for informing the list of users of the owner of operating right (column 2, lines 6-17, 38-42; 59-65).

However, Sato does not explicitly disclose wherein said associates list is operative to enable said processor to access a user selectable union of pushed personalized content relating to the user from said one or more associates, and adapted to share access to said pushed personalized content to a family, wherein said family comprises at least one of: a plurality of user; or a plurality of related users

Desai discloses the information exchange system wherein the users may selectively grant access to their own profiles to one or more third parties such as family members, see (Desai: column 3, lines 35-67; column 4, lines 1-7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Desai's ideas of sharing access to personal profiles with family members with Freishtat's system in order to provide a method for information exchange based on registered uses' authorization, see (Desai: column 4, lines 1-7)

**5. Claim 12 is rejected under are rejected under 35 U.S.C 103(a) as being un-patentable over Maurille et al. (U.S. 6,484,196) in view of Desai et al. (U.S. 6,820,204)**

**In referring to claim 12:**

Sato discloses the invention substantially as claimed, including a computer program, which can be implemented in a computer hardware or software code for An instant message service computer program product, comprising:



An instant message service module operative to enable a processor to display an associates list to the user (Maurille discloses “a users table” which is equivalent to “associates list” that list all system users: column 3, lines 16-27)

However, Sato does not explicitly disclose wherein said associates list is operative to enable said processor to access a user selectable union of pushed personalized content relating to the user from said one or more associates, and adapted to share access to said pushed personalized content to a family, wherein said family comprises at least one of: a plurality of user; or a plurality of related users.

Desai discloses the information exchange system wherein the users may selectively grant access to their own profiles to one or more third parties such as family members, see (Desai: column 3, lines 35-67; column 4, lines 1-7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Desai’s ideas of sharing access to personal profiles with family members with Freishtat’s system in order to provide a method for information exchange based on registered uses’ authorization, see (Desai: column 4, lines 1-7)

**6. Claim 13 is rejected under are rejected under 35 U.S.C 103(a) as being un-patentable over Weinberger et al. (U.S. 6,807,538) in view of Desai et al. (U.S. 6,820,204)**

**In referring to claim 13:**

Sato discloses the invention substantially as claimed, including a computer program, which can be implemented in a computer hardware or software code for an inflight entertainment portal computer program product, comprising:

An IFE module operative to enable a processor to display an associates list to the user (Weinberger discloses the seat group equipment which contains “passenger control units” which is equivalent to “associates list”: column 6, lines 5-21)

However, Sato does not explicitly disclose wherein said associates list is operative to enable said processor to access a user selectable union of pushed personalized content relating to the user from said one or more associates, and adapted to share access to said pushed personalized content to a family, wherein said family comprises at least one of: a plurality of user; or a plurality of related users.

Desai discloses the information exchange system wherein the users may selectively grant access to their own profiles to one or more third parties such as family members, see (Desai: column 3, lines 35-67; column 4, lines 1-7)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Desai’s ideas of sharing access to personal profiles with family members with Freishtat’s system in order to provide a method for information exchange based on registered uses’ authorization, see (Desai: column 4, lines 1-7)

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### *Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Dai Thi Truong  
Examiner  
Art Unit 2143

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